

House File 2 - Introduced

HOUSE FILE 2

BY RIZER

A BILL FOR

1 An Act relating to the unauthorized placement of a global
2 positioning device and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 708.11A Unauthorized placement of
2 global positioning device.

3 1. A person shall not place a global positioning device or
4 a device equipped with global positioning technology on a motor
5 vehicle owned or leased by another person without the consent
6 of the other person.

7 2. A person shall not intentionally obtain information
8 regarding the movement or location of another person from a
9 global positioning device or a device equipped with global
10 positioning technology that has been placed without the consent
11 of the other person.

12 3. This section does not apply to any of the following:

13 a. A manufacturer, as defined in section 321.1, or a
14 person acting within the scope of the person's employment, who
15 installs an in-vehicle communication or telematics system.

16 b. A device installed by or with the permission of the
17 vehicle owner for automobile insurance rating, underwriting, or
18 claims handling purposes.

19 c. A peace officer acting within the officer's scope of
20 employment pursuant to section 808.4A.

21 d. A parent or guardian tracking the movement or location of
22 the parent's minor child or guardian's ward.

23 e. An employer or business owner tracking the movement or
24 location of a motor vehicle owned, leased, or assigned for use
25 by the employer or business owner.

26 f. A person tracking the movement or location of a device
27 included within the person's shared cellular telephone service
28 plan.

29 4. A person who violates this section commits a serious
30 misdemeanor.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill relates to the unauthorized placement of a global

1 positioning device.

2 Under the bill, a person shall not place a global positioning
3 device or a device equipped with global positioning technology
4 on a motor vehicle owned or leased by another person without
5 the consent of the other person.

6 The bill also prohibits a person from intentionally
7 obtaining information regarding the movement or location of
8 another person from a global positioning device or a device
9 equipped with global positioning technology that has been
10 placed without the consent of the other person.

11 The bill does not apply to any of the following: (1) a
12 manufacturer, as defined in Code section 321.1, or a person
13 acting within the scope of the person's employment, who
14 installs an in-vehicle communication or telematics system, (2)
15 a device installed with the vehicle owner's permission for
16 automobile insurance rating, underwriting, or claims handling
17 purposes, (3) a peace officer acting within the scope of
18 employment pursuant to Code section 808.4A (search warrant for
19 use of global positioning device), (4) a parent or guardian
20 tracking the movement or location of the parent's minor child
21 or guardian's ward, (5) an employer or business owner tracking
22 the movement or location of a motor vehicle owned, leased, or
23 assigned for use by the employer or business owner, or (6) a
24 person tracking the movement or location of a device included
25 within the person's shared cellular telephone service plan.

26 A person who violates the bill commits a serious
27 misdemeanor. A serious misdemeanor is punishable by
28 confinement for no more than one year and a fine of at least
29 \$315 but not more than \$1,875.